

IN RE: PETITION FOR ZONING VARIANCE \* BEFORE THE  
NS Schilling Road, opposite \* ZONING COMMISSIONER  
Pepper Road \*  
8th Election District \* OF BALTIMORE COUNTY  
3rd Councilmanic District \*  
Mass Transit Administration \* Case No. 97-246-A  
Petitioner \*

\* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Variance for the property located at Schilling Road near the intersection of Pepper Road near the Cockeysville community of Baltimore County. The Petition is filed by the Mass Transit Administration, property owner. Variance relief is requested, pursuant to Sections 255.1 and 238.2 of the Baltimore County Zoning Regulations (BCZR), to permit a 14 ft. side yard setback and a 13 ft. rear yard setback in lieu of the required 30 ft. The subject property and requested relief are more particularly shown on Petitioner's Exhibit No. 1, the plat to accompany the Petition for Variance.

Appearing at the public hearing held for this case were Charles L. Landes and Raymond Carroll on behalf of the Mass Transit Administration. Also present was Deno S. Yenias, a Project Director for this site. The Petitioner was represented by Jack R. Sturgill, Jr., Esquire. There were no Protestants present.

This is another in a series of cases before the Zoning Commissioner regarding the extension of the MTA's Light Rail System into northern Baltimore County. Presently, the system terminates at the Timonium substation adjacent to the Timonium Park and Ride. The MTA is extending its line towards Hunt Valley. Several cases have come before the Zoning Commissioner regarding this extension. In most of these cases, the Petitioner has requested variance relief in order to install its equipment.

MICROFILMED

ORDER RECEIVED FOR FILING  
Date 3/24/97  
By [Signature]

The light rail system is powered by electricity and the Petitioner has proposed constructing a small structure to handle the required equipment on the subject site. The structure is rectangular in shape and will maintain side and rear yard setbacks of 14 ft. and 13 ft. respectively. The location of the equipment structure is driven by engineering considerations. The equipment contained within the structure powers the trains and signals on this portion of the line. Moreover, the subject site, itself, is quite small, wide enough only to accommodate the track and related equipment. Thus, the Petition for Zoning Variance has been filed.

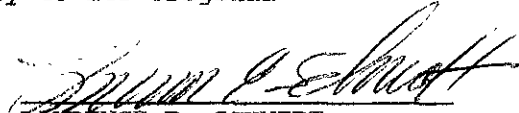
Based upon the testimony and evidence presented, all of which was uncontradicted, I am persuaded to grant the Petition for Variance. In my judgment, the Petitioner has satisfied the requirements contained within Section 307 of the BCZR. The uniqueness of the property is found in its small area and configuration. A denial of the variance relief would surely cause practical difficulty upon the Petitioner, in that the site could not be used for a permitted purpose. Moreover, there will clearly be no detrimental impact on surrounding properties. For all of these reasons, the Petition shall be granted.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 21<sup>st</sup> day of March 1997 that a variance from Sections 255.1 and 238.2 of the Baltimore County Zoning Regulations (BCZR) to permit a 14 ft. side yard setback and a 13 ft. rear yard setback, in lieu of the required 30 ft, be and is hereby GRANTED, subject, however, to the following restriction:

1. The Petitioner is hereby made aware that proceeding at this time is at its own risk until

such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

  
LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

LES/mmh

ORDER RECEIVED FOR FILING

Date

3/21/97

By

M. Mark



Baltimore County  
Zoning Commissioner  
Office of Planning and Zoning

Suite 112, Courthouse  
400 Washington Avenue  
Towson, Maryland 21204  
(410) 887-4386

March 20, 1997

Jack R. Sturgill, Jr., Esquire  
606 Baltimore Avenue  
Suite 207  
Towson, Maryland 21204

RE: Case No. 97-246-A  
Petition for Zoning Variance  
Property: Schilling Road near the intersection of Pepper Rd  
Mass Transit Administration, Petitioner

Dear Mr. Sturgill:

Enclosed please find the decision rendered in the above captioned case. The Petition for Zoning Variance has been granted, with restriction, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt".

Lawrence E. Schmidt  
Zoning Commissioner

LES:mmn  
att.

c: Messrs. Charles L. Landes and Raymond Carroll  
Mass Transit Admin. 6 St. Paul Street, Baltimore, Md. 21202-1614





# Petition for Variance

## to the Zoning Commissioner of Baltimore County

for the property located at

Schilling Road near the intersection of  
which is presently zoned Pepper Road  
ML-IM

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

ML Setbacks - Section 255.1 and 238.2 to permit a 14' side yard and 13' rear yard, both in lieu of 30'

SEE ATTACHMENTS

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

The location of the Traction Power Substation is mandated by engineering. Its location is required to be at certain points to provide electrical power for the operation of the light rail system.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

Jack R. Sturgill, Jr.

(Type or Print Name) Sp. Asst. Attorney General

Signature

606 Baltimore Avenue 296-6485

Address Suite 207 Phone No.

Towson, MD 21204

City

State

Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

Mass Transit Administration

(Type or Print Name)

Signature

John A. Agro, Jr., Administrator

(Type or Print Name)

Signature

6 Saint Paul Street

767-3908

Address

Phone No.

Baltimore

MD

21202-1614

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

Charles L. Landes

Name

6 St. Paul Street

767-3908

Address

Baltimore, MD 21202-1614

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY:

DATE

12/10/86

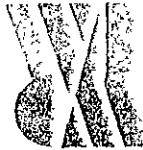
MICROFILMED



Printed with Soybean Ink  
on Recycled Paper



WHITNEY BAILEY



COX MAGNANI

#1246

**DESCRIPTION OF AREA SUBJECT TO VARIANCE PETITION  
TRACTION POWER SUB-STATION - MTA FEE AREA  
CENTRAL LIGHT RAIL LINE - HUNT VALLEY EXTENSION  
MASS TRANSIT ADMINISTRATION - STATE OF MARYLAND  
8th ELECTION DISTRICT - BALTIMORE COUNTY, MARYLAND**

COMMENCING from the point formed by the intersection of the centerline of Schilling Road (70 feet wide) with the centerline of McCormick Road (70 feet wide) and running easterly at or near the centerline of Schilling Road,

(1) North 85 degrees 13 minutes 21 seconds East, 988.57 feet

thence at right angles thereto

(2) North 04 degrees 46 minutes 39 seconds West, 35.00 feet

to the true place of beginning

THENCE LEAVING SAID PLACE OF BEGINNING to describe a parcel subject to petition for variance from minimum setbacks as defined for a ML-1M zone in the Zoning Regulations of Baltimore County, Maryland and not to be used for conveyancing, running with and binding on the outlines of the property of the Mass Transit Administration, referring all courses and distances of this description to the meridian of the Maryland State Plane Coordinate System (NAD '83),

(1) North 04 degrees 46 minutes 39 seconds West, 92.00 feet

thence leaving said outlines and running through the lands of the Mass Transit Administration

(2) North 85 degrees 13 minutes 21 seconds East, 230.26 feet

thence again running with and binding on the outlines of the property of the Mass Transit Administration

(3) South 04 degrees 46 minutes 39 seconds East, 92.00 feet

to intersect the northerly right-of-way line of Schilling Road (70 feet wide)

thence running with and binding on said right-of-way line and on the outlines of the property of the Mass Transit Administration

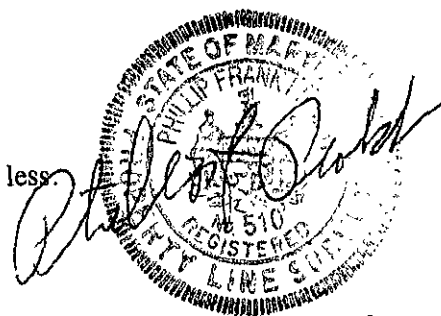
(4) South 85 degrees 13 minutes 21 seconds West, 230.26 feet

to the point of beginning.

CONTAINING an area of 21,184 square feet, or 0.486 acre of land, more or less.

9422303D.536

MICROFILMED



10-22-96

**NOTICE OF HEARING**

The zoning Commission of Baltimore County, for the purpose of the zoning map and regulations of Baltimore County will hold a public hearing on the proposed rezoning of the property located in Room 106 of the County Office Building, 1000 North Howard Street, Baltimore, Maryland, at 10:00 A.M. on December 22, 1996.

Case No. 96-0001  
 Main Subject: Rezoning of 1000 North Howard Street, Baltimore, Maryland, from C-1 to C-2.  
 Legal Description: 1.00 acre, more or less, bounded on the north by the 1000 North Howard Street, on the east by the 1000 North Howard Street, on the south by the 1000 North Howard Street, and on the west by the 1000 North Howard Street.

LAURENCE EIGHT  
 Zoning Commission  
 Baltimore County  
 NOTES: (1) For information, please call 887-5555.  
 (2) For information, please call 887-5555.  
 (3) For information, please call 887-5555.  
 12/25/96 Dec. 25

**CERTIFICATE OF PUBLICATION**

TOWSON, MD., 12/26, 1996

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 21 successive weeks, the first publication appearing on 12/26, 1996.

THE JEFFERSONIAN,  
*A. H. Enrie*  
 LEGAL AD. - TOWSON



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of which, lies with the petitioner/applicant) and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

\_\_\_\_\_  
ARNOLD JABLON, DIRECTOR

-----  
For newspaper advertising:

Item No.: 246

Petitioner: Mass Transit Admin

Location: North side of Schilling Rd, opposite Pepper Rd

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Charles L. Landes

ADDRESS: 6 St. Paul St

Baltimore, MD. 21202-1614

PHONE NUMBER: 767-3908

AJ:ggs

(Revised 09/24/96)





BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

No. 029943

DATE 12/10/91 ACCOUNT 01-615

By: MD AMOUNT \$ 250.00

RECEIVED FROM: M.T.A. - Selling Rd near intersect of Rte. 4

FOR: 020- Comm. Va. - \$ 250.00

0140580035N1CPRC \$250.00

DA 0002-10-91

VALIDATION OR SIGNATURE OF CASHIER

DISTRIBUTION  
WHITE - CASHIER  
PINK - AGENCY  
YELLOW - CUSTOMER

# CERTIFICATE OF POSTING

RE: Case No.: 97-246-A

Petitioner/Developer: M.T.A.  
40 JACK STURGILL, ESQ

Date of Hearing/Closing: 2/11/97

Baltimore County Department of  
Permits and Development Management  
County Office Building, Room 111  
111 West Chesapeake Avenue  
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law  
were posted conspicuously on the property located at N/S SCHILLING RD. OPPOSITE  
PEPPER ROAD.

REPOSTED FOR DATE CHANGE

The sign(s) were posted on 1/16/97  
(Month, Day, Year)

Sincerely, Patrick M. O'Keefe 1/17/97  
Patrick M. O'Keefe 1/17/97  
(Signature of Sign Poster and Date)

Patrick M. O'Keefe

(Printed Name)

523 Penny Lane

(Address)

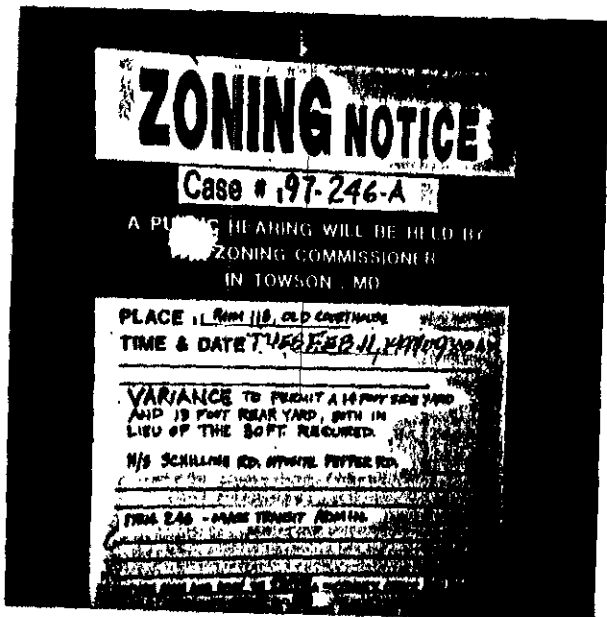
Hunt Valley, MD 21030

(City, State, Zip Code)

(410) 666-5366

(Telephone Number)

Pager (410) 646-8354



A. SCHILLING RD. OPP.  
PEPPER ROAD. - MTA  
PEPPER

MICROFILMED

Request for Zoning: Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than \_\_\_\_\_.

Format for Sign Printing, Black Letters on White Background:

## ZONING NOTICE

Case No.: \_\_\_\_\_

A PUBLIC HEARING WILL BE HELD BY  
THE ZONING COMMISSIONER  
IN TOWSON, MD

PLACE: \_\_\_\_\_

DATE AND TIME: \_\_\_\_\_

REQUEST: to permit a 14' side yard and 13' rear yard  
both in lieu of 30'

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.  
TO CONFIRM HEARING CALL 887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

TO: PUTUXENT PUBLISHING COMPANY  
December 26, 1996 Issue - Jeffersonian

Please forward billing to:

Charles L. Landes  
6 St. Paul Street  
Baltimore, MD 21202-1614  
767-3908

---

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in  
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204  
or  
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-246-A (Item 246)  
N/S Schilling Road, opposite Popper Road  
8th Election District - 3rd Councilmanic  
Legal Owner(s): Mass Transit Administration

Variance to permit a 14 foot side yard and 13 foot rear yard, both in lieu of 30 feet.

HEARING: THURSDAY, JANUARY 16, 1997 at 9:00 a.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT  
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

JEFFERSONIAN



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

December 19, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in  
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204  
or  
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-246-A (Item 246)  
N/S Schilling Road, opposite Popper Road  
8th Election District - 3rd Councilmanic  
Legal Owner(s): Mass Transit Administration

Variance to permit a 14 foot side yard and 13 foot rear yard, both in lieu of 30 feet.

HEARING: THURSDAY, JANUARY 16, 1997 at 9:00 a.m. in Room 118, Old Courthouse.

A handwritten signature in cursive script, reading "Arnold Jablon".

Arnold Jablon  
Director

cc: Mass Transit Administration  
Charles L. Landes  
Jack R. Sturgill, Jr.

NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY JANUARY 1, 1997.  
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

RECORDED 1-16-97





Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

January 10, 1997

NOTICE OF REASSIGNMENT

Rescheduled from 1/16/97  
CASE NUMBER: 97-246-A (Item 246)  
N/S Schilling Road, opposite Popper Road  
8th Election District - 3rd Councilmanic  
Legal Owner(s): Mass Transit Administration

Variance to permit a 14 foot side yard and 13 foot rear yard, both in lieu of 30 feet.

HEARING: TUESDAY, FEBRUARY 11, 1997 at 9:00 a.m. in Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland.

15

ARNOLD JABLON  
DIRECTOR

cc: Jack R. Sturgill, Jr.  
Charles L. Landes/Mass Transit Administration



MICROFILMED

#246

N/F  
THE DUNBAR LIMITED LIABILITY CO.  
SM 11385/254

LOT 6  
PLOT FOR RESUBDIVISION OF LOT 4  
BELL ATLANTIC  
GREATER BALTIMORE BUSINESS PARK  
SM 68/20

TEMPORARY CONSTRUCTION  
EASEMENT AREA

REVERTIBLE SLOPE  
EASEMENT AREA

MTA FEE AREA

PROPOSED EXTENSION  
OF PEPPER ROAD

N/F  
HUNT VALLEY 75  
LIMITED PARTNERSHIP  
7193/399

AREA SUBJECT  
TO VARIANCE  
21,184 S.F.  
0.486 AC±

POINT OF BEGINNING  
VARIANCE DESCRIPTION

SCHILLING ROAD

MICROFILMED

988.57' TO C/L MCCORMICK ROAD

C/L 70' R/W SCHILLING ROAD

PEPPER ROAD  
(50' R/W)

ZONED ML-1M

NOTES:

ALL PROPERTY LINES ARE GRAPHICAL  
REPRESENTATIONS FROM PUBLIC  
RECORDS UNLESS INDICATED OTHERWISE.

ALL PROPERTY IMPACTS SHOWN HEREON  
ARE GRAPHICAL REPRESENTATIONS, BASED  
ON CURRENT DESIGN, AND AS SUCH, ARE  
SUBJECT TO REVISIONS AND/OR CHANGES  
AS DESIGN PROGRESSES.

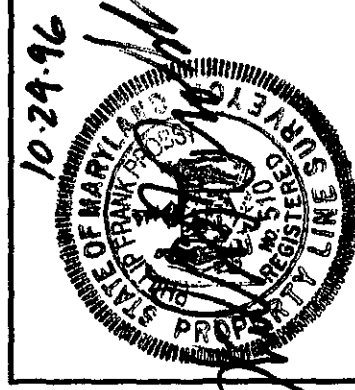
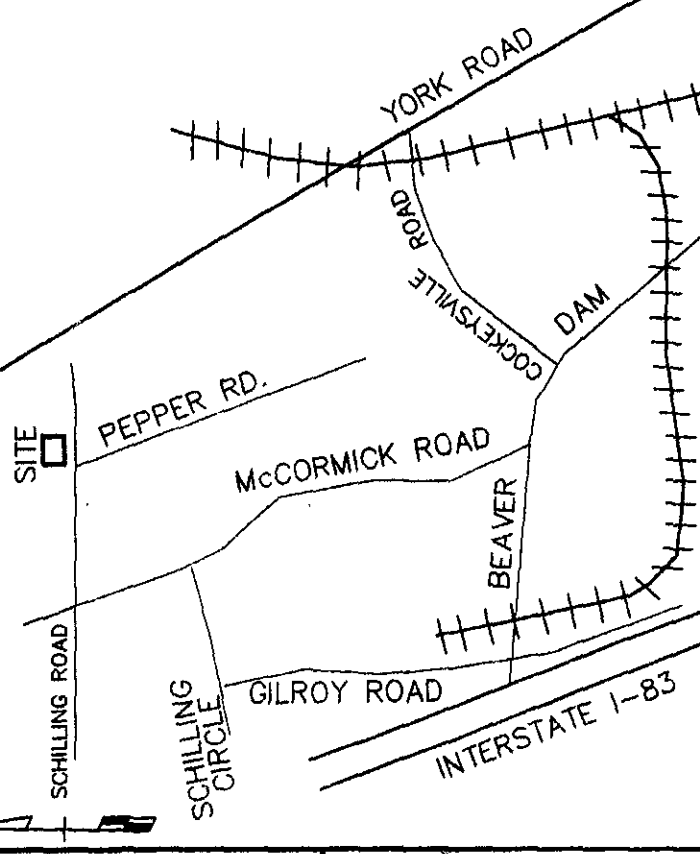
ALL SETBACKS REQUIRING VARIANCES ARE  
SHOWN ON PLAT AND MENTIONED IN PETITION.  
WHERE OTHER SETBACKS APPEAR TO BE LESS  
THAN REQUIRED, THEY WILL NOT REQUIRE  
VARIANCE AS IT IS COMMON OWNERSHIP BEHIND  
OR ADJACENT TO STRUCTURE.

SITE IS NOT WITHIN 100' OF A RESIDENTIAL  
ZONE, NOR RIGHT-OF-WAY ADJOINING A RESIDENTIAL  
ZONE, NOR AT AN INTERSTATE HIGHWAY OR FREEWAY.

MD. STATE PLANE (NAD 83)

SCALE  
1" = 50'

VICINITY MAP  
SCALE: 1" = 1000'



STATE OF MARYLAND DEPARTMENT OF TRANSPORTATION  
MASS TRANSIT ADMINISTRATION

CENTRAL LIGHT RAIL LINE

WHITNEY  
BAILEY  
COX  
MAGNANI

EIGHTH ELECTION DISTRICT  
3rd COUNCILMANIC DISTRICT

COUNCILMANIC DISTRICT  
SUSAN M. COX  
SUSAN M. COX  
410-324-1100 (PAX)

REVISIONS  
BY DATE  
1. REUSE PER BALTO. CO. COMMENTS 10/22/96

DESIGNED  
DATE 02/15/96  
APPROVED

DESIGNED  
DATE 02/15/96  
APPROVED

PLAT TO ACCOMPANY ZONING VARIANCE  
FOR TRACTION POWER SUB-STATION  
BALTIMORE COUNTY ZONING VARIANCE DRAWING  
8th ELECTION DISTRICT  
3rd COUNCILMANIC DISTRICT

CONTRACT NO.  
93100221

DRAWING NO.

SHEET NO.



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

January 8, 1997

Jack R. Sturgill, Jr., Esquire  
606 Baltimore Avenue, Suite 207  
Towson, MD 21204

RE: Item No.: 246  
Case No.: 97-246-A  
Petitioner: Mass Transit Admin.

Dear Mr. Sturgill:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on December 10, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

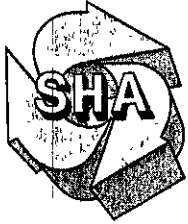
*W. Carl Richards, Jr.*

W. Carl Richards, Jr.  
Zoning Supervisor

WCR/re  
Attachment(s)







**Maryland Department of Transportation**  
**State Highway Administration**

David L. Winstead  
Secretary  
Parker F. Williams  
Administrator

Ms. Roslyn Eubanks  
Baltimore County Office of  
Permits and Development Management  
County Office Building, Room 109  
Towson, Maryland 21204

RE: Baltimore County 12.20.92  
Item No. 246 (MSK)

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Larry Gredlein at 410-545-5606 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

for Ronald Burns, Chief  
Engineering Access Permits  
Division

LG

My telephone number is \_\_\_\_\_

Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717  
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

12/20/92

Baltimore County Government  
Fire Department



700 East Joppa Road  
Towson, MD 21286-5500

Office of the Fire Marshal  
(410)887-4880

DATE: 12/19/96

Arnold Jablon, Director  
Zoning Administration and Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF DEC. 23, 1996.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,  
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 245, 246, 247, 248,  
249, 250, 252, 253, 254 AND 256.

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

DATE: 12/19/96



BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT  
INTER-OFFICE CORRESPONDENCE

TO: PDM

DATE: Dec. 27, 96

FROM: R. Bruce Seeley  
Permits and Development Review  
DEPRM

SUBJECT: Zoning Advisory Committee  
Meeting Date: Dec. 23, 96

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

246

247

249

253

255

257

RBS:sp

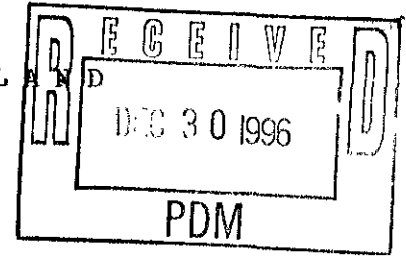
BRUCE2/DEPRM/TXTSBP

MICROFILMED

*John Alexander*

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE



TO: Arnold Jablon, Director  
Department of Permits & Development  
Management

Date: December 26, 1996

FROM: *RWB* Robert W. Bowling, Chief  
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting  
for December 30, 1996  
Item Nos. 246, 247, 248, 250,  
252, 253, 254, 256

The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

RWB:HJO:jrb

cc: File

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Permits and Development  
Management

DATE: January 2, 1997

FROM: Pat Keller, Director  
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 246, 260 and 264

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by:

Jeffrey W. Long

Division Chief:

Barry L. Keller

PK/JL

MICROFILMED

ITEM246/PZONE/ZAC1

RE: PETITION FOR VARIANCE	*	BEFORE THE
N/S Schilling Road, opposite Popper Road,		
8th Election District, 3rd Councilmanic	*	ZONING COMMISSIONER
Mass Transit Administration	*	OF BALTIMORE COUNTY
Petitioners	*	CASE NO.: 97-246-A

\* \* \* \* \*

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman  
PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County

Carole S. Demilio  
CAROLE S. DEMILIO  
Deputy People's Counsel  
Room 47, Courthouse  
400 Washington Avenue  
Towson, MD 21204  
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 8th day of January, 1997, a copy of the foregoing Entry of Appearance was mailed to Jack R. Sturgill, Jr., Esq., Sp. Asst. Attorney General, 606 Baltimore Avenue, Suite 207, Towson, MD 21204, attorney for Petitioners.

Peter Max Zimmerman  
PETER MAX ZIMMERMAN

J. JOSEPH CURRAN, JR.  
*Attorney General*

NORMAN E. PARKER, JR.  
RALPH S. TYLER  
*Deputy Attorneys General*

EDWARD R.K. HARGADON  
*Assistant Attorney General*  
*Counsel to the Department of Transportation*

OFFICES OF



**THE ATTORNEY GENERAL**

**Department of Transportation**

State Highway Administration  
707 North Calvert Street  
Baltimore, Maryland 21202  
(410) 333-1400  
Fax (410) 333-1756

December 31, 1996

97-1  
1/2/96  
48  
TO 68  
EDWARD S. HARRIS  
*Assistant Attorney General*  
*Counsel to the State Highway Administration*

DOUGLAS N. SILBER  
*Assistant Attorney General*  
*Deputy Counsel*

JANET BUSH HANDY  
C. ROBERT LOSKOT  
OMAR V. MELEHY  
SCOT D. MORRELL  
LIBBY C. REAMER  
LINDA D. STROZYK  
*Assistant Attorneys General*

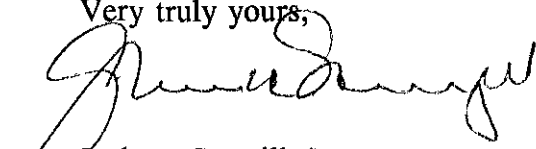
Mr. Arnold Jablon  
Director  
Baltimore County Department of  
Permits and Development Management  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Re: CASE NUMBER: 97-246-A (Item 246)  
N/S Schilling Road, opposite Popper Road  
8th Election District - 3rd Councilmanic  
Legal Owner(s): Mass Transit Administration

Dear Mr. Jablon:

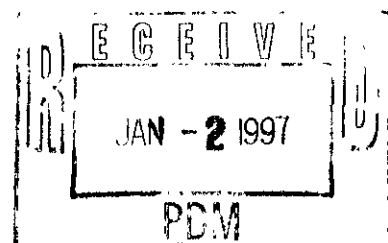
The above captioned matter is currently set for a hearing on January 16, 1997. I have been advised by one of my witnesses that they will not be available on that date. I would therefore appreciate your re-scheduling this matter for a later date.

Very truly yours,

  
Jack R. Sturgill, Jr.  
Special Assistant Attorney General

JRS/cph

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MASS TRANSIT ADMINISTRATION

MARYLAND DEPARTMENT OF TRANSPORTATION

Parris N. Glendening, Governor • David L. Winstead, Secretary • Ronald L. Freeland, Administrator

CENTRAL LIGHT RAIL LINE - PHASE II

130 LAKEFRONT DRIVE

HUNT VALLEY, MD 21031

July 8, 1997

97-3514 AJ  
97-246-A

Mr. Thomas Telesca  
Tessco Technologies, Inc.  
Global Logistics Center  
11126 McCormick Road  
Hunt Valley, Maryland 21030-1419

7/16/97  
c8  
wck

**SUBJECT: MTA Contract No. 3-48-1  
Central Light Rail Line Phase II**

Dear Mr. Telesca:

This letter is to confirm the conversations that I have had with you in person, and by phone concerning (1) Tessco's Gilroy Road entrance, (2) Tessco's recently constructed 13 ft. high fence, and (3) MTA's imminent initiation of public light rail passenger service in Hunt Valley. This is also to suggest that we meet as soon as possible to resolve safety issues related to these items.

Our on site meeting was held at your Gilroy Road entrance on May 29, 1997. Also present at that meeting were your Site Construction Manager, Mr. Ken Zuknik, and MTA's Real Estate Project Director, Mr. Chuck Landes. As you will recall, I had requested the meeting to explain MTA's plans to install various types of "safety warning devices" which included railroad crossbuck and stop signs, flashers, traffic stripping, etc., Related to the "at-grade" light rail crossing adjacent to your Gilroy Road entrance.

At the May 20th meeting Mr. Landes and I also expressed our concern with the sight distance public safety hazard that Tessco would be creating by completing its construction of a 13 ft. High steel and frame cable storage fence, running parallel to and within close proximity of MTA's light rail right of way. In addition, Mr. Landes also advised you that in May 1995, MTA had purchased and removed 9 trees along this same property frontage from the previous property owner, in order to specifically eliminate any sight distance problem for MTA Light Rail Operators, its patrons, as well as users of your site, in the immediate area of Gilroy Road and Schilling Circle.

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My phone number (410) 771-6175 FAX number (410) 771-6431 TTY (410)

William Donald Schaefer Tower • 6 Saint Paul Street • Baltimore, Maryland 21202-1614



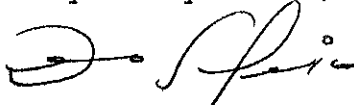
Mr. Thomas Telesca  
July 10, 1997  
Page 2

We further advised that in actuality, the very sight distance and safety problems that MTA had addressed by removing the Gilroy Road trees, would only be recreated and exacerbated by the completion of construction of Tessco's solid frame/metal fence. We also expressed our concern that in addition to endangering light rail passengers, the aforesaid fence would also create a sight distance and safety problem for Tessco's own employees and shippers attempting to exit the property from this entrance. Although, I suggested that Tessco consider mitigating the problem by readjusting up to four of the panels at the southern end of the fence near the Gilroy entrance, by Telecon on May 28, 1997 you advised that the repositioning of the fence and subsequent loss of cable storage area, was unacceptable to Tessco.

Subsequent to our on site meeting, and following completion of Tessco fence construction, MTA initiated actual light rail vehicle operations testing in Hunt Valley. Shortly thereafter, I received a telephone call from Tessco Attorney, Richard Rubin, who advised that he represented Tessco CEO, Robert Barnhill. Attorney Rubin indicated that Tessco realized that the fence created a safety problem for both Tessco and MTA, and further indicated Tessco's willingness to work with MTA to resolve the problem. To that end, and understanding the mutual concerns of all parties in resolving this matter, I am proposing that a meeting be held within the next 10 days at MTA's Hunt Valley Construction Office, located at 130 Lakefront Drive.

Please call me at 410-771-6175, to arrange a mutually convenient date and time for said meeting.

Very Truly Yours,



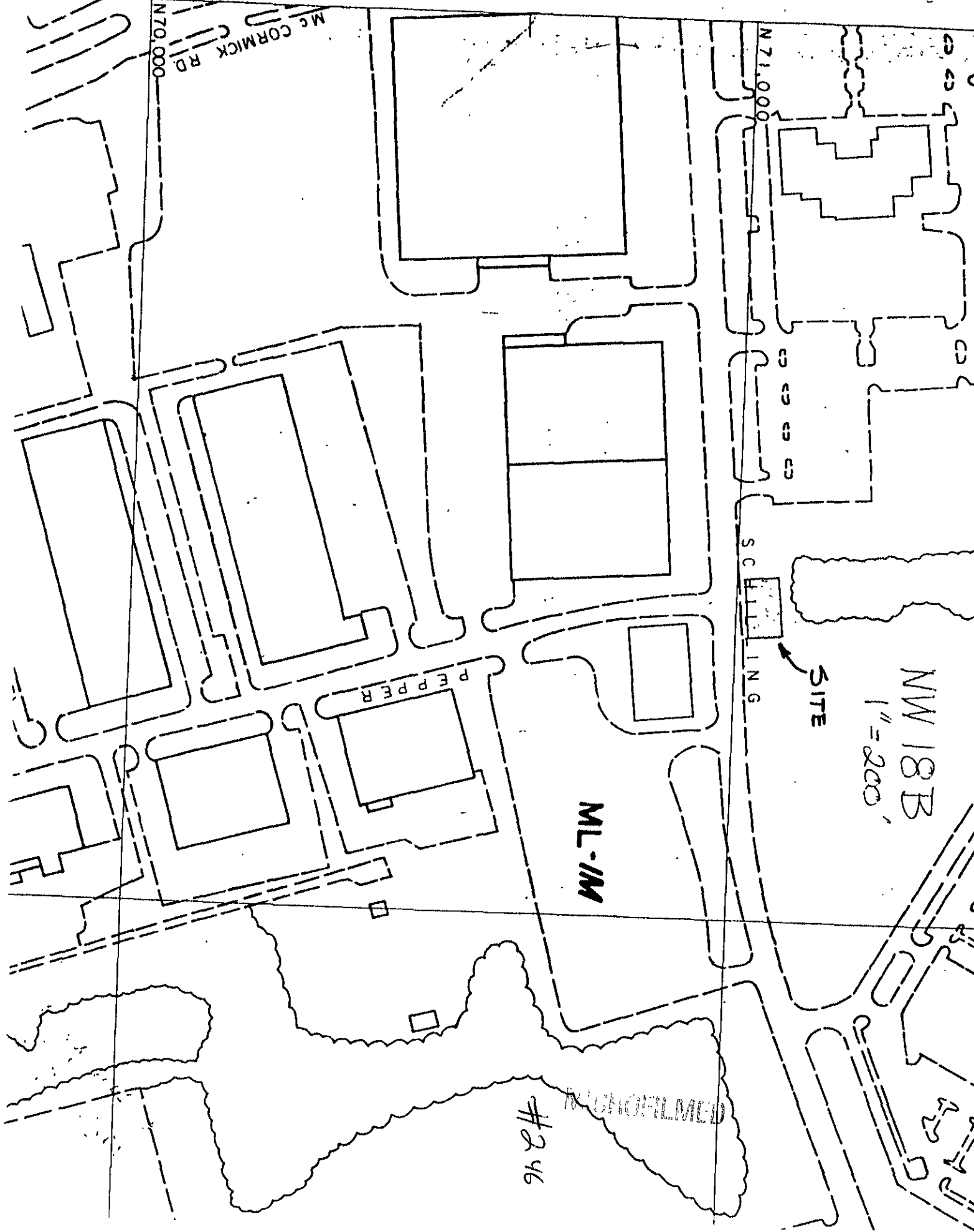
Deno S. Yehias  
Project Director

DSY/jcp

cc: Mr. Charles M. Landes ~~Mr. Arnold J. Tabor~~  
Mr. Jack R. Sturgill, Esquire Mr. W. Carl Richards, Jr.  
Mr. Richard Rubin, Esquire Ms. Sandy Sadler  
Mr. Frank Waesche  
Mr. Todd Lingoski  
Mr. Ray Carroll  
Mr. George Schuster

L250

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N70.000

Mc CORMICK RD

N71.000

SC FILLING

SITE

NW 18B

1"=200'

ML-1M

PEPPER

#246

**DENO S. YENIAS**

**PROJECT DIRECTOR**

*Ref No 2*

**Years of Experience**

25

**Education**

B.S., Architectural and Interior Design, Pennsylvania State University, 1971

**Key Qualifications**

Deno Yenias has extensive experience in construction/project management as they relate to all aspects of civil, mechanical, electrical and architectural construction, project administration, and personnel management. As a project safety officer, Deno was responsible for compliance with applicable regulation and the review and resolutions of claims.

**Transit**

- Southeastern Pennsylvania Transit Authority (SEPTA) Resident Engineer. Manager responsible for (2) reconstruction projects of the existing Frankford Elevated Transit Rail System.
- Baltimore Metro Section C, Baltimore, Maryland: assistant resident engineer responsible for construction management of the Shot Tower Station as well as a line contract for Baltimore's Mass Transit Administration.

**Previous Experience**

Prior to joining Parsons Brinckerhoff (PB), Deno participated in various transportation projects throughout the United States. He has served as a project engineer and also as a consultant. His specific project experience includes: Fort McHenry Tunnel (I-95), Baltimore, Maryland: responsible for managing the completion of the \$750 million project. This assignment required the review and resolution of various contractor claims for the entire project. This project was completed \$75 million under budget.

- I-664 Tunnel Project, Newport News, Virginia: served as a construction consultant to the Virginia Department of Transportation during fabrication and outfitting of tunnel sections. He was responsible for supervising 18 field inspectors for outfitting the tube interiors, tube fabrication procedures, tube closures, and interior finish work.
- Mondawmin Station, Baltimore Rapid Transit System, Maryland: responsible for all structural and finish contracts, which included monitoring the installation of excavation support systems involving augered pile placement with lagging boards and tie-back systems; drilling and blasting operations; and proper placement and protection of geological monitoring equipment.
- Patapsco Wastewater Treatment Plant, Baltimore, Maryland: responsible for all mechanical systems and process piping, equipment, and excavation; placement, buttressing, and restraint devices; and backfill of all underground process piping. Deno maintained on-site field office records and files and conducted monthly project cost

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accounting. He also maintained as-built drawings for the project, which consisted of construction of three 300,000 BBL and one 150,000 BBC storage tanks with related piping and associated site development.

- **Hess Oil Storage Tanks:** responsible for the maintenance of on-site field office records and files; the performance of monthly project cost accounting; and the maintenance of as-built drawings for the project, which consisted of the construction of three 300,000 - barrel storage containers and one 150,000 - barrel storage container with related piping and associate site development.
- **Baltimore District, Maryland:** project engineer responsible for setting up and maintaining all Baltimore District policies and programs. He was responsible for the development and maintenance of federal and state E.E.O training programs, entailing the record keeping requirements, correspondence, and expediting of pertinent information for all individual projects. Deno administered engineering department field personnel on active contracts, which involved estimating and bid take-offs for future contracts. He was responsible for liaison services between the firm's staff and federal and state inspection personnel, and setup and maintained records, quantities, and correspondence for the contractor's construction field offices. He was also responsible for the maintenance of daily construction reports, employee work records (i.e., attendance, payroll, etc.), and review of as-built drawings and punch list operations as assistant to the Maryland Port Administration's contracts.
- **Sparrows Point-North Point Road, Baltimore, Maryland:** construction inspector on field operation, (i.e., excavation, back-fill, blacktop paving, concrete pours, superstructure construction, main line roadway construction). He served as field officeman for Beltway extension contracts. He maintained daily construction logs and ledgers; compiled daily quantities and quantity computations; and maintained the files and a set of current correspondence. He also filed monthly estimates and maintained project as-built plans and field sketch books and directed semifinal and final inspection programs for other projects.
- **Outer Harbor Crossing, Baltimore, Maryland:** served as the instrument man in a survey party whose responsibilities included checking the contractor's initial layout and staking on contracts for superstructures and for main line and access roadways.

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#2-16

N/F  
HUNT VALLEY 75  
LIMITED PARTNERSHIP  
7193/399

MTA FEE AREA

PROPOSED EXTENSION  
OF PEPPER ROAD

REVERTIBLE SLOPE  
EASEMENT AREA

TEMPORARY CONSTRUCTION  
EASEMENT AREA

N/F  
THE DUNBAR LIMITED LIABILITY CO.  
SM 11385/254

LOT 6  
PLOT FOR RESUBDIVISION OF LOT 4  
BELL ATLANTIC  
GREATER BALTIMORE BUSINESS PARK  
SM 68/20

POINT OF BEGINNING  
VARIANCE DESCRIPTION

988.57' TO C/L MCCORMICK ROAD  
C/L 70' R/W SCHILLING ROAD

SCHILLING ROAD

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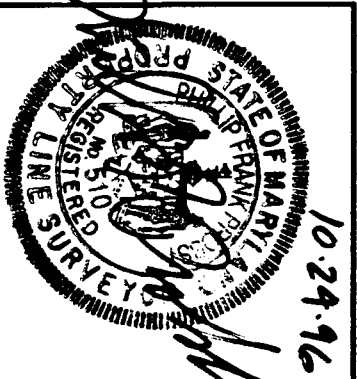
ZONED ML-1M

PEPPER ROAD  
(50' R/W)

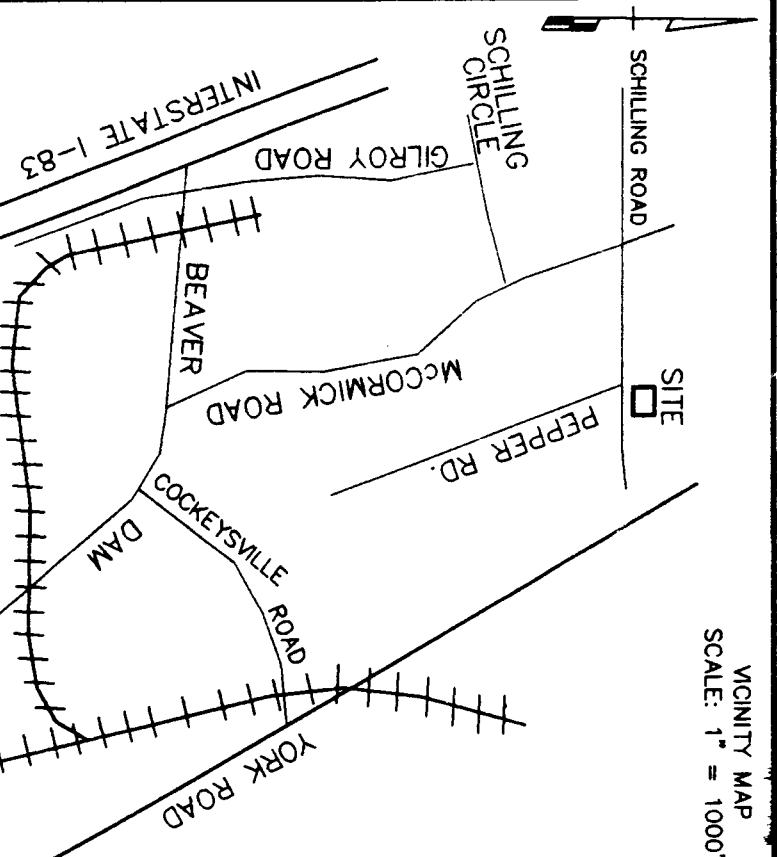
- A. VARIANCE OF 14' IN LIEU  
OF 30' SIDE YARD.  
B. VARIANCE OF 13' IN LIEU  
OF 30' REAR YARD.

NOTES:  
ALL PROPERTY LINES ARE GRAPHICAL  
REPRESENTATIONS BASED ON RECORD  
SURVEYS UNLESS INDICATED OTHERWISE.  
ALL PROPERTY IMPACTS SHOWN HEREON  
ARE GRAPHICAL REPRESENTATIONS BASED  
ON CURRENT DESIGN, AND AS SUCH, ARE  
SUBJECT TO REVISIONS AND/OR CHANGES  
AS DESIGN PROGRESSES.  
ALL SETBACKS REQUIRING VARIANCES ARE  
SHOWN ON PLAT AND MENTIONED IN PETITION.  
WHERE OTHER SETBACKS APPEAR TO BE LESS  
THAN REQUIRED, THE SAME SHALL BE CONSIDERED  
AS A VARIANCE. THE OWNER'S RESPONSIBILITY  
OR ADJACENT TO STRUCTURE.  
SITE IS NOT WITHIN 100' OF A RESIDENTIAL  
ZONE, NOR RIGHT-OF-WAY ADJACENT A RESIDENTIAL  
ZONE, NOR AT AN INTERSTATE HIGHWAY OR FREEWAY.

SCALE  
1" = 50'



VICINITY MAP  
SCALE: 1" = 1000'



STATE OF MARYLAND DEPARTMENT OF TRANSPORTATION MASS TRANSIT ADMINISTRATION				WHITNEY BAILEY COX MAYNARD 640 FREDERICK AVE. BALTIMORE, MD 21201 410-321-4100 (TWO)	
CENTRAL LIGHT RAIL LINE		EIGHTH ELECTION DISTRICT 3rd COUNCILMANIC DISTRICT			
		1		REVISE PER BALTO. CO. COMMENTS	
		NO.		DESCRIPTION	
		BY		DATE	
		DESIGNED		DATE	
		DRAWN		APPROVED	
		M.L.R.			
		CHECKED		APPROVED	
		P.F.P.			
PLAT TO ACCOMPANY ZONING VARIANCE FOR TRACTION POWER SUB-STATION BALTIMORE COUNTY ZONING VARIANCE DRAWING 8th ELECTION DISTRICT 3rd COUNCILMANIC DISTRICT		CONTRACT NO. 93100221		DRAWING NO.	
		SHEET NO.			